

1 Honorable Thomas S. Zilly  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 ALI M. DUALEH, JAWAHER SHREH, S.M.  
11 (age 11), A.M. (age 8), A.M. (age 7), A.M. (age  
5), A.M. (age 4), S.M. (age 8 months), and  
12 MOHAMMED MIRREH

Plaintiffs,

v.

13 UNITED STATES OF AMERICA, ROBERT  
14 BROOKS, BAN TIEN, THOMAS PHILLIPS,  
15 LANCE GRAY, KEVIN KEYES, KEITH  
16 KING, DAVE LEIBMAN, and JEFF  
17 MCCLANE,

Defendants.

No. C09-0875 TSZ

DECLARATION OF JULIE GAMBINO IN  
SUPPORT OF PLAINTIFFS' MOTION IN  
LIMINE TO EXCLUDE EVIDENCE  
RELATING TO PURPORTED PRIOR  
RAPE ARREST OF ALI DUALEH

*Noted on Calendar: October 22, 2010*

I, Julie Gambino, declare and state as follows:

1. I am competent to testify to the matters contained herein and do so from my own  
21 personal knowledge.

2. I am employed as a paralegal in the law firm MacDonald Hoague & Bayless and  
have been assigned to the above-captioned case. I have worked as a paralegal in the Seattle area  
for over seven years in both public defense and private law firms.

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DECLARATION OF JULIE GAMBINO - 1

MACDONALD HOAGUE & BAYLESS  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

3. On or about September 28, 2010, I was asked to locate information pertaining to a criminal charge against Ali. M. Dualeh that purportedly occurred within the Seattle city limits in or about 2001.

4. I performed a case records search by name on the Washington Courts website. In the name search fields I entered Mr. Dualeh's last name and first initial. The search returned two case numbers out of Auburn Municipal Court and Seatac Municipal Court, respectively.

5. I contacted the Auburn Municipal Court by telephone and requested charging information on the case. I was informed that the matter was a "photo ticket" traffic infraction.

6. I contacted the Seatac Municipal Court by telephone and requested charging information on the case. I was informed that the case was a "red light ticket" traffic infraction.

7. I performed a public information search on the Seattle Municipal Court website. In the defendant name search fields I entered Mr. Dualeh's last name and first initial. I did not receive any results for Ali Dualeh.

8. I performed a criminal history search on the Washington State Patrol WATCH website. In the name search fields I entered Mr. Dualeh's last name and first name. I entered Mr. Dualeh's date of birth, 09-19-1953. No record was found. I performed another search using the date of birth 09-19-1963 because Mr. Dualeh stated that when he arrived in the United States his date of birth was recorded incorrectly as 1963. No record was found.

I declare under penalty of perjury according to the laws of the United States of America  
and the State of Washington that the foregoing is true and correct.

DATED this 1<sup>st</sup> day of October, 2010.

Julie Gambino

**DECLARATION OF JULIE GAMBINO - 2**

**MACDONALD HOAGUE & BAYLESS**  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

## **PROOF OF SERVICE**

I hereby declare under penalty of perjury that on October 14, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct. Executed in Seattle, Washington, on October 14, 2010.

Mary E. Klein, Legal Assistant  
MacDonald Hoague & Bayless  
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